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Mayor

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Land Use Action Date:	August 3, 2004
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90-Day Expiration Date:	September 13, 2004

TO: Board of Aldermen

FROM: Michael Kruse, Director of Planning and Development
Nancy Radzevich, Chief Planner
Robert Merryman, Senior Planner

DATE: June 11, 2004

SUBJECT: PETITION #236-04 of DRUKER MANAGEMENT CORPORATION / SCHRODER NEWTON LIMITED PARTNERSHIP for SPECIAL PERMIT/SITE PLAN APPROVAL for Assisted Managed Parking and the addition of 50 rooftop parking spaces at 283-291 CENTRE STREET, Newton Corner, on land known as Ward 1, Section 71, Block 5, Lot 1, containing approximately 78,813 sq. ft. in a Business 2 District.

CC: Mayor David B. Cohen

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The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information which will be presented at or after the public hearing which the Land Use Committee of the Board of Aldermen will consider in its discussion at a subsequent Working Session.

I. ELEMENTS OF THE PETITION

The petitioner is requesting a special permit to establish attendant assisted parking and the expansion of the existing rooftop garage by 50 additional spaces. The proposed rooftop attendant assisted parking (valet parking) is intended to facilitate the additional parking needs of Reed Business Information Company employees, who are moving from their current office across the street. The petitioner is proposing the attendant assisted parking to help manage the parking logistics generated by the additional spaces, and to allow the petitioner to maintain the number of stalls routinely available to other tenants, customers or clients. The petitioner has not advised the Planning Department about the number of employees who will re-locate to this site. The

petitioner did submit information on several of the outstanding question after the memo was completed, (See: Attached petitioner's response)

The petitioner's building currently has 334 parking spaces. To accommodate the fifty new parking spaces in an area that already accommodates 195 parking stalls on the garage roof, the petitioner proposes to place the majority (40 spaces) of the spaces perpendicular to the existing stalls that line the interior of the building's rooftop wall. The remaining ten (10) spaces would be retro-fitted into existing gaps along the perimeter wall. As such, the proposal would not meet the minimum aisle and maneuvering requirements of Section 30-19. All of the parking spaces, however, are within the confines of the building; thus they are not visible to residential or commercial abutters.

Because the parking spaces will be placed in the exposed rooftop parking deck of 283-291 Centre Street, the proposal is subject to Section 30-19 spatial and screening regulations for "Outdoor Parking Facilities". The introduction of attendant assisted parking is intended specifically for Reed Business Information Company employees. The petitioner believes that this form of parking service is required to effectively manage the proposed parking configuration.

The petitioner submitted a survey plan that was last updated in 1983. Although little has changed around the periphery of the structure, the petitioner should still submit a revised survey prior to issuance of a building permit for the valet parking service.

II. ZONING RELIEF BEING SOUGHT

The petitioner is seeking relief from or approvals through the following section(s) of the zoning ordinance:

- *Section 30-19(m) of the Zoning Ordinance, which allows the Board of Aldermen to grant a special permit to allow for exceptions to the dimensional requirements for parking if it is determined that compliance is impracticable due to the nature of the site and that such exceptions would be in the public interest.*
- *The following waivers are required through this section:*
 - 1.) *Section 30-19(c)(4) to allow waivers to the requirement that parking stalls shall not be assigned to specific persons or tenants nor rented or leased so as to render them in effect unavailable to the persons whom the facilities are designed to serve;*
 - 2.) *Section 30-19(h)(5)(b) to allow waivers for the dimensional and stall layout requirements of the parking ordinance where a portion of a parking facility would be under full-time attendant supervision;*
 - 3.) *Section 30-19(h)(1) to allow waivers for parking stalls located within any required setback distances from street and sidelines;*
 - 4.) *Section 30-19(h)(2), and Section 30-19(h)(3) to allow waivers for stall size and maneuvering aisles;*
 - 5.) *Section 30-19(h)(2)(c) to allow waivers for the inclusion of the required number of handicapped accessible parking stalls;*
 - 6.) *Section 30-19(i)(1) and Section 30-19(i)(2) to allow waivers for the exterior landscape screening requirements and the internal landscape requirements;*

- *Section 30-23 for Site Plan Approval; and*
- *Section 30-24 for Special Permit Approval.*

III. SIGNIFICANT ISSUES FOR CONSIDERATION

In reviewing this petition, the Board should consider the following:

- *Whether the introduction of attendant assisted parking for the upper deck of the garage will serve the public convenience and welfare;*
- *Whether the existing 139 stalls on the three levels below the roof will provide adequate parking for the other tenants and visitors to this site;*
- *Whether the existing facilities can absorb the increased intensity of use, and*
- *Whether the proposed layout to accommodate fifty additional spaces does not compromise vehicular and pedestrian traffic and safety.*

IV. CHARACTERISTICS OF THE SITE, NEIGHBORHOOD AND PROPOSAL

A. Site

The site consists of a 4-story brick building with frontage on Centre Street and Washington Street at Newton Corner. Since the building is located on the northwest side of the curved Newton Corner intersection and has frontage on two streets, its design reflects the curvature of the intersection. This building contains both office spaces and retail uses. The top floor contains the Reed Business Information Company, who according to the petitioner, took over the Cahners Publishing Company. The Cahners Company, now Reed Business Information, has had a long-standing history in Newton and Newton Corner as one of the City's largest employers.

The building at street level contains a mix of office and retail uses including: restaurants, a hair salon, medical offices, a real estate office and a chiropractic office. Reed controls the top 2 floors.

To minimize the traffic impact generated by the tenants and clients of the subject property, all parking and delivery needs are serviced along secondary streets such as Pearl and Bacon Streets. The rooftop parking facilities are accessed and exited through a controlled entrance along Bacon Street and Pearl Street, and must go through the entire parking garage to get to the roof.

B. Neighborhood

The site is located in the busy and very heavily trafficked Newton Corner commercial node that serves as the principal eastern and northern gateway to Newton from Boston and Watertown, respectively. As such, this area captures the traffic entering Newton from the Massachusetts Turnpike, Nonantum/Soldiers' Field Road, as well as Centre/Galen Street. Furthermore, this area of Newton Corner also serves as a major MBTA bus stop for the Express Bus system into Boston.

The site is part of a linear Business 2 District, which extends along Centre Street from the Watertown line to the Newton Corner intersection and along Washington Street to Jewett Street. The linear commercial area which lines Centre Street and Washington Street is surrounded by a large Multi-Residence 2 District which starts at Pearl Street behind the petitioner's site.

V. ANALYSIS

A. Technical Considerations

1) Parking Considerations

The additional fifty parking attendant assisted spaces would allow Reed Business Information Company to provide several of its employees with a premium service. These employees are presently located across the street in Two Newton Place. The parking structure and commercial building were built as-of-right. In order for the staff to completely review the petition, the petitioner should provide the parking calculations, along with the number of existing employees, the number of additional employees, as well as calculations for the other uses within the building prior to the public hearing. The petitioner has stated that this information is forthcoming.

2) Attendant Assisted Parking

Attendant assisted parking is intended to facilitate the accommodation of the additional Reeds' employees who are moving to this building. The petitioner has indicated that the cars will be constantly moved to allow cars in the regular stalls to exit in a timely manner. The procedures for this service, as detailed by the petitioner, are as follows:

a) General Considerations:

- Operating hours: 8:00 a.m. to 5:00 p.m., Monday through Friday and designated holidays;
- The rooftop area will be restricted to use by Reed employees only; and
- Attendants will assist self-park (i.e. non-Reed employees or employees not assigned to the service) patrons in locating available spaces as needed.

b) Attendant Assisted Procedures for Arriving Vehicles:

- After all self-park spaces have been expended, the attendant assisted process will commence;
- Attendants will direct patrons into spaces designated for attendant assisted parking (non-conforming spaces);
- Patrons will park and lock vehicles and leave keys with the attendant;
- Patrons will be issued claim tickets by the attendant and vehicles will be inspected for damage; and
- All attendant assist patrons will be issued one portion of a three-part claim check: One portion will be handed to patron for key retrieval when exiting; The second portion will remain in a locked cabinet with the patron's keys; and the third portion will have the following items: Registration number, Make/Model, damage information and location.

c) Attendant Assisted Procedures for Departing Vehicles

Prior to 5:00 p.m.:

- Patron will proceed to roof level and see attendant stationed in the elevator vestibule of the roof;
- Patron will present claim check to the attendant for verification purposes;
- Upon matching the claim checks, the attendant will return the patron's keys;
- If the vehicle has been parked in a self-park space by the attendant, they will direct the patron to the location; and
- If the vehicle has not been moved, the attendant will notify the patron.

After 5:00 p.m.:

- The attendant will bring all remaining unclaimed keys to the security desk in the lobby;
- Patron will present the claim check to security personnel who will match the patron's claim check against the attendant's portion and issue keys if they match;
- Upon issuing the keys, security personnel must have patron sign the log acknowledging receipt of keys;
- The attendant's portion of the claim check will determine where the vehicle is parked and security personnel will direct the patron accordingly; and
- Security personnel must retain both portions of the claim checks to be returned to the parking staff the next business day. If a patron misplaces his/her claim check, security personnel should ask for photo identification and note all pertinent information on a lost ticket form. Security personnel should ask patrons the following information: Make/Model, color, and registration number. security personnel should match that information against the claim checks in the key box. If the information matches, issue the patron his/her keys and retain the lost ticket form with the photo identification to be returned to the parking staff the next business day.

d) After Hours Key Transfer to Security:

- After 5:00 p.m., the attendant will bring all remaining unclaimed keys to the security desk in the Lobby;
- A "Key Transfer Log" will be completed by the Attendant and signed/verified by the guard;
- The keys and claim checks should be secured in a keybox located at the guard station; and
- The log, claim checks collected and any unclaimed keys will be returned to the parking staff the next business day.

The Planning Department is concerned with the proposed 5:00 p.m. termination of the attendant service unless the majority of the Reed employees regularly depart before 5:00 p.m. Since 5:00 p.m. is the typical end of the working day, employees may have difficulty exiting without the assistance of attendants as the layout blocks many spaces with other

vehicles. *Should the Board approve this petition, the Planning Department would recommend a condition that the valet attendants be available until at least 6:00 p.m.*

B. Evaluation of Existing Conditions (Site Visit)

The Planning Department staff performed a site visit around 10:00 a.m. on a Thursday (May 27th) and found that 25 parking stalls in the lower portion of the parking garage were empty, and that 78 parking stalls on the roof of the parking garage were empty. The parking security attendant stated that it was a typical day for the parking facility. The petitioner should provide information as to the number of employees that Reed will be adding to this site with a justification for the 50 stall increase on the roof deck, in order for the Land Use Committee to properly evaluate the impacts of the increased parking.

It should also be noted that the 5 handicapped (HP) stalls on the roof were empty. Although, and no further HP stalls appear to be needed, the 2 HP stalls located in the northeast corner of the roof have been striped in the wrong place and should be moved further south across from the elevator. ***Prior to the Working Session the roof plans should be revised accordingly.***

During the site visit it was noted that the entire site contains minimal landscaping. One large street tree was missing on Washington Street, and several of the shrubs on the corner of Centre and Pearl Streets were dead or in poor condition. There are no street trees on the east, north or west sides of the complex and no shrubs of any kind on the east and west sides of the complex. *In the process of granting landscape waivers for the parking structure, the Planning Department believes that it would be in the public interest to have the petitioner explore increased landscaping in the above mentioned problem areas.*

In reviewing plans of the proposed valet spaces against the existing roof configuration the Planning Department recommends that the M49 and M50 should be removed from the roof plan, as they will block the two way traffic coming up or down the ramp. Also, spaces M34, M35 and M36 should be removed from the roof plan as they force the removal of 3 existing stalls, and provide no gain or benefit. ***Prior to the public hearing, the petitioner should submit a revised roof parking plan with above changes and/or others to ensure a safe vehicular circulation.***

C. Transportation Planner Review- Site circulation and access

The physical layout of the parking garage will allow vehicles to enter the parking garage from Bacon Street, and exit the parking garage onto Pearl Street. The intersection of Pearl Street and Centre Street is signalized. Since the parking facility provides excellent access to the Massachusetts Turnpike and other roads, it appears that the additional vehicles would be unlikely to cause significant impacts to the residential neighborhood. However, the City's Transportation Planner has concerns regarding potential traffic conflicts within the garage, including the following:

- The maneuvering aisle is currently sufficiently wide for drivers to independently maneuver their vehicles into and out of parking spaces. However, since the maneuvering aisle will be narrowed with the addition of 50 more vehicles on the top level of the garage, it will become impossible for many vehicles to safely maneuver into or out of their parking spaces without the need to move at least one vehicle parked in a “managed” spot
- Employees may not be able to access their vehicles in a speedy manner, particularly at peak hours. Note that according to the proposed layout, a single vehicle parked in space M19 or in M46 would potentially block six “self-parked” vehicles. If any of these six vehicles need to exit the garage, the single “managed” vehicle would need to be moved.
- If employees perceive that they may be inconvenienced when parking their vehicle on the top level of the garage (since it may become blocked by another vehicle), if given an option to park elsewhere in the garage, they may be very likely to do so. These employees would seek to park their vehicles in spaces located on lower levels of the garage, thereby taking parking spaces that would have otherwise (or are currently) being used by other vehicles accessing different businesses on-site. Not only would many cars be ineligible to park on the top level, but they may also experience fewer parking spaces on lower levels. As more cars get blocked or back up on the top level, it seems likely that those parking on the top level would increasingly seek to park elsewhere in the garage. Further, if the Reed employees find it to be more costly to use the valet service, will they simply park in other locations.
- Related to the previous point, if only Reed employees are permitted to park on the roof – will they be prohibited from parking on the other levels to ensure those spaces are reserved for other tenants? If so, how would this policy be enforced?
- Further, those drivers who reach the top level of the garage, but are not permitted to park there, would need to turn around somehow. Would they need to travel through the top level of the garage to begin descending? If so, they would potentially encounter further inconvenience if they have to wait for vehicles to be shifted around on the top level while passing through.
- As the maneuvering aisle becomes more narrow, it is important to ensure that the Fire Department is able to access any vehicle that may need attention.
- In addition, the Planning Department is concerned that during winter, unless snow is removed, the number of spaces and/or maneuvering aisle width would be decreased.

The Planning Department believes that these concerns should be addressed prior to this project being scheduled for a Working Session.

D. Structural capacity

The petitioner hired an engineering consulting firm to assess the structure’s capacity to physically sustain the increase in weight that fifty additional vehicles would represent. The consultant’s report concluded that the parking lot floors, along with the columns and foundations, were designed for a 50 pound per square foot live load, plus snow, and could thus accommodate the proposed increase in use.

E. Relevant Site Plan Approval Criteria

1. Convenience and safety of vehicular and pedestrian movement.

The proposed configuration to accommodate an additional fifty spaces on the rooftop restricts the circulation of traffic on the platform. The Planning Department cannot adequately review convenience and safety of vehicular movement until all issues raised in Sections VA.,B. and C. above, have been addressed. The presence of attendants throughout the work day would ensure greater surveillance of pedestrian and vehicular activity on the rooftop parking area, however, the Planning Department is concerned with the 5:00 p.m. switch from attendant parking to security guard. Unless the majority Reed employees leave before 5:00 p.m., cars maybe trapped, and/or employees will be required to maneuver around other vehicles, in a reduced aisle width.

Entrance (on Bacon) and egress (on Pearl) to the rooftop parking area will continue to be serviced from the ramps and entry points for the Pearl Street garage annex.

2. Screening of parking areas and structures.

A 4 foot high parapet currently screens the existing parking spaces along the rooftop.

F. Relevant Special Permit Criteria

1. The specific site is an appropriate location for such use/structure.

The proposed location for the parking spaces is currently part of an active and heavily used parking garage that serves the office/retail building. However, the petitioner has not provided significant information on the parking demand and/or the practical operation of the valet service. Also the plans proposed include several conflict points where proposed stalls interfere with traffic maneuvering aisles. (See: comments in Sections V.A, B, and C. above).

2. The use as developed and operated will not adversely affect the neighborhood.

If managed properly the additional parking spaces could increase the parking facilities for the Newton Corner commercial, retail area and as such could help alleviate on street parking needs. However, the Planning Department notes a number of concerns as to how the separation of the facilities will actually work: There does appear to be anything to prevent Reed employees from parking on others levels, which could reduce space available for other tenants and visitors.

3. There will be no nuisance or serious hazard to vehicles or pedestrians.

See Sections III-B and C(1).

4. Access to the site over streets is appropriate for the types and numbers if vehicles involved.

See comments from Sections III-A,B, and C.

IV. SUMMARY

The petitioner is proposing attended parking service for Reed Business Information Company, a tenant at 283-291 Centre Street. To accommodate the service, the petitioner proposes to place the majority of the spaces perpendicular to the existing parking spaces that line the perimeter of the rooftop deck, an established and well used parking facility that serves the office/retail building and the Newton Corner commercial area in general. Generally, the proposed attendant assisted parking service would provide an efficient manner to address the traffic, parking and safety issues generated by the new parking layout, however there are a number of practical issues related to the operation of the services which have not been addressed. Also, the Planning Department questions whether the employees of Reed actually will use the valet service, which, during peak times, may substantially increase their departure time from the site. It is not clear how the other spaces in the deck and on-site will be preserved for other tenants and visitors, should the Reed employees choose not to be “locked” into a valet parking situation.

While the Planning Department believes it is important to support long standing business, the concerns about the operation of the attendant service, in relation to other business on-site should be adequately addressed.

Prior to the Working Session:

1. ***The petitioner should submit a revised roof parking plan that eliminates valet stalls M34, M35, M36 , M49, and M50 and that the 2 HP stalls in the northeast corner be moved as requested.***
2. ***The petitioner should submit a landscape plan that addresses issues raised above.***
3. ***The petitioner should ensure that there is adequate and appropriate lighting (Metal Halide or equivalent) on the rooftop parking area.***
4. ***The petitioner should respond to the issues raised by the Planning Department including but not limited to: the requested parking calculations; valet operations questions; and proof of the adequacy of remaining stalls for other uses. (Ref: Sections V.A,B, and C above)***
5. ***The petitioner should respond to any issues that may be raised by the City Traffic Engineer, and/or the Fire Chief.***